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United States Patent and Trademark Office  
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P.O. Box 1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/729,421	12/05/2003	Venkatakrishna Shyamala	2300-20030

CONFIRMATION NO. 8395

## FORMALITIES LETTER



\*OC000000013500965\*

27476

Chiron Corporation  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, CA 94662-8097

Date Mailed: 08/11/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/08/2004 RMEBRAHT 00000121 10729421

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1201	264.00 OP
04 FC:1202	432.00 OP
05 FC:1203	300.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Adjustment date: 10/08/2004 RMEBRAHT  
08/11/2004 EPLER 00000055 181648 10729421  
01 FC:1051 130.00 CR  
02 FC:1001 770.00 CR  
03 FC:1201 258.00 CR  
04 FC:1202 432.00 CR  
05 FC:1203 290.00 CR

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$980** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

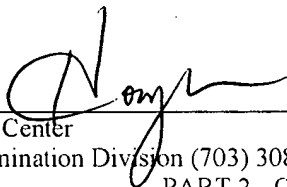
Total additional fee(s) required for this application is **\$1880** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$980**
  - **\$258** for **3** independent claims over 3.
  - **\$432** for **24** total claims over 20.
  - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



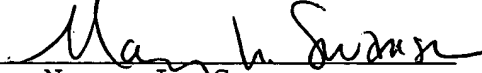
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
Atty. Docket No. PP-20030.003

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Nancy L. Swanson

10/5/04  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: SHYAMALA, V.  
Confirmation No.: 8395  
U.S. Application No. 10/729,421  
Filing Date: December 5, 2003  
Group Art Unit: 1642  
Examiner: Unassigned  
For: IDENTIFICATION OF OLIGONUCLEOTIDES FOR THE  
CAPTURE, DETECTION AND QUANTITATION OF  
WEST NILE VIRUS

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

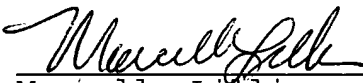
In response to the "Notice to File Missing Parts of Nonprovisional Application," mailed from the United States Patent and Trademark Office on August 11, 2004, enclosed herewith are the following documents:

1. COPY: Notice to File Missing Parts of Nonprovisional Application

2. Check in the amount of \$1,916.00 representing the total fees for this application, i.e., basic filing fee, late oath or declaration surcharge fee, and additional claim fees. The fees paid reflect the revised fees from the "Fee Schedule," effective October 1, 2004.
3. Declaration
4. Power of Attorney to Prosecute Applications Before the USPTO
5. Statement Under 37 CFR 3.73(b) with copy of recorded Assignment Document attached thereto.
6. COPY: Under separate cover, mailed August 23, 2004, a Statement to Support Filing and Submission in Accordance with 37 CFR 1.821-1.825; 13 pages of sequence Listing and Preliminary Amendment Statement, as evidenced by a copy of the Transmittal Letter to the PTO.
7. Blanket Petition for Extension of Time and Authorization to Charge/Credit Deposit Account
8. Return postcard

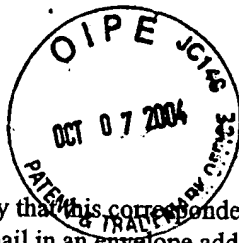
The Commissioner for Patents is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR 1.16 and 1.17 to Deposit Account No. 03-1664.

Respectfully submitted,

By:   
Marcella Lillis  
Reg. No. 36,583

Date: October 5, 2004

CHIRON CORPORATION  
Intellectual Property Dept.  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 923-8406  
Facsimile: (510) 655-3542



Atty Dkt PP20030.003 (2300-20030)  
PATENT

COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

8/23/04  
Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

SHYAMALA

Confirmation No.: 8395

Serial No.: 10/729,421

Group Art Unit: 1642

Filing Date: December 5, 2003

Examiner: Not Assigned

Title: IDENTIFICATION OF OLIGONUCLEOTIDES FOR THE CAPTURE,  
DETECTION AND QUANTITATION OF WEST NILE VIRUS

TRANSMITTAL LETTER

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is part in response to the Notice to File Missing Parts dated August 11, 2004. Transmitted herewith for filing are the following documents: a copy of the Notice to File Missing Parts; Statement to Support Filing and Submission in Accordance with 37 CFR 1.821-1.825; 13 Pages of Sequence Listing in hard and disc format; Preliminary Amendment.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 8/23/04

By:   
Roberta L. Robins  
Registration No. 33,208

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COPY